

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Adv. Pro. No. 10-05346 (CGM)

Plaintiff,

v.

MERRILL LYNCH INTERNATIONAL,

Defendant.

**ORDER DENYING MERRILL LYNCH INTERNATIONAL'S
MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendant Merrill Lynch International ("Defendant") filed a motion to dismiss the Amended Complaint under Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6) (the "Motion") on October 19, 2022. The Court has considered the Motion and the papers filed in support of and in opposition to the Motion and the Amended Complaint, and the Court issued a memorandum decision, dated March 16, 2023, regarding the Motion (the "Decision"). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is denied.
2. The deadline for Defendant to file an answer to the Complaint is May 22, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

**Dated: March 28, 2023
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**